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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/669,120

09/22/2003

J. Lyell Ginter

P/3474-50 REISSUE

8754

2352 7590 01/21/2010  
OSTROLENK FABER GERB & SOFFEN  
1180 AVENUE OF THE AMERICAS  
NEW YORK, NY 100368403

EXAMINER

FREAY, CHARLES GRANT

ART UNIT

PAPER NUMBER

3746

MAIL DATE

DELIVERY MODE

01/21/2010

PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Examiner-Initiated Interview Summary</b>	<b>Application No.</b> 10/669,120	<b>Applicant(s)</b> GINTER ET AL.	
	<b>Examiner</b> Charles G. Freay	<b>Art Unit</b> 3746	

**All Participants:**

(1) Charles G. Freay.

(2) David Torrente.

**Date of Interview:** 6 January 2010

**Status of Application:** pending/rejected 8/2009

(3) \_\_\_\_\_.

(4) \_\_\_\_\_.

**Time:** 4:45 pm

**Type of Interview:**

☒ Telephonic

☐ Video Conference

☐ Personal (Copy given to: ☐ Applicant ☐ Applicant's representative)

Exhibit Shown or Demonstrated: ☐ Yes ☒ No

If Yes, provide a brief description: \_\_\_\_\_.

**Part I.**

Rejection(s) discussed:

*Obviousness Type Double Patenting*

Claims discussed:

Prior art documents discussed:

**Part II.**

SUBSTANCE OF INTERVIEW DESCRIBING THE GENERAL NATURE OF WHAT WAS DISCUSSED:

*See Continuation Sheet*

**Part III.**

☐ It is not necessary for applicant to provide a separate record of the substance of the interview, since the interview directly resulted in the allowance of the application. The examiner will provide a written summary of the substance of the interview in the Notice of Allowability.

☒ It is not necessary for applicant to provide a separate record of the substance of the interview, since the interview did not result in resolution of all issues. A brief summary by the examiner appears in Part II above.

/Charles G Freay/  
Primary Examiner, Art Unit 3746

(Applicant/Applicant's Representative Signature – if appropriate)

Continuation of Substance of Interview including description of the general nature of what was discussed: The examiner noted that the Amendment of 11/20/2009 had overcome the prior art rejections. However a supplemental declaration addressing the errors correct by the amendment would be required (note 37 CFR 1.175). Furthermore, the examiner noted that the Terminal Disclaimer of 11/20/09 was not accepted. Mr. torrente stated that he would submit a new Terminal Disclaimer and a Supplemental Declaration as soon as possible. .